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09/363,339	07/29/1999	TIMOTHY M. YOUNG	TN128	8021

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EXAMINER

SING, SIMON P

ART UNIT PAPER NUMBER

2645

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/363,339

Applicant(s)

YOUNG ET AL.

Examiner

Simon Sing

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/19/2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Juster US Patent No. 5,724,406.

1.1 Regarding claim 1, Juster discloses a call processing system and method for providing a variety of messaging services. Juster's teaches using various call processing primitives (CPPs) for customizing call process service (column 5, lines 12-32). Juster's software [modules] includes of call flow functions (column 5, lines 26-29), codes (a software comprises computer executable codes) and a list of names (names of variables, functions etc). Juster also teaches a user friendly environment that allows easy construction/modification of a call service (column 5, lines 17-23), and a user selects appropriate CPPs and prompts which respond to certain DTMF signal identifiers (such as entered by a caller) (column 5, lines 23-26, 41-53). The DTMF signal identifiers and their corresponding CPPs make up a link list (program or codes) (example: if a DTMF identifier equals to '1', the corresponding CPP (function) is play-message; if a DTMF identifier equals to '2', the corresponding CPP (function) is save-

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message; ... etc) which is a table on paper (no one can plot a table in computer memories, where only '1's and '0's are stored). In Juster, a user is a customer of a voice mail system manufacturer, and the user may modify (customize) a system by selecting a different corresponding CPP to a DTMF identifier, such as selecting a delete-message CPP to pair with DTMF identifier '1'.

1.2 Regarding claim 17, Juster discloses a call processing system and method for providing a variety of messaging services in figures 1 and 2, comprising:

- a computer 12;
- a network interface unit 26 (column 4, lines 5-67; column 5, lines 1-5);
- a network applications platform running on the computer (column 4, lines 47-54);
- a messaging application using various call processing primitives (CPPs) for customizing call process service (column 5, lines 12-32). Juster's software [modules] includes call flows functions (column 5, lines 26-29), codes (a software comprises computer executable codes) and a modifiable list of names (names of variables, functions etc.) corresponding DTMF signal identifiers (column 5, lines 23-26, 41-53).

2. Claims 1, 2, 8-15, 17, 18, and 20-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Satter et al. US 5,243,643.

2.1 Regarding claim 1, Satter discloses a voice processing system with configurable caller interfaces, comprising:

a module [caller interface] comprising call flow functions, code and customization list (column 28, lines 18-37);

wherein the customization list comprises a table of names and modifiable list of corresponding DTMF signal identifiers, wherein a customer is permitted to change the mapping between caller entered DTMF signal, and the corresponding actions taken by a voice messaging system (column 28, lines 1-3, 18-51; column 29-30, Vector Pogracln).

2.2 Regarding claim 2, Satter further teaches a main module comprising code and call flow functions that are specific to the customer (column 26, lines 34-44).

2.3 Regarding claim 8, it is inherent that for the system to function properly, the module is loaded during application initialization process.

2.4 Regarding claim 9, Satter further teaches different tables for different callers (column 28, lines 40-51).

2.5 Regarding claim 10, Satter teaches that the module contains call flow functions and code for a particular customer (column 28, lines 18-37).

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2.6 Regarding claim 11, Satter teaches call flow functions are used by a plurality of users (column 28, lines 40-51).

2.7 regarding claims 12-14, Satter teaches a storage medium, relational database 60, which may be an integral part of computer 40 or network based (column 9, lines 28-43). Since magnetic medium and optical medium are commonly used, then selecting either one of them will be a matter of design choice.

2.8 Regarding claim 15, Satter teaches that the application is a voice mail system (column 26, lines 34-44).

2.9 Regarding claim 17, Satter discloses a voice processing system with configurable caller interfaces, comprising:

- a computer 40 (Figure 1);

- a network interface unit coupling the computer to a telephone network (column 9, lines 52-55);

- a module [caller interface] comprising call flow functions, code and customization list (column 28, lines 18-37);

- wherein the customization list comprises a table of names and modifiable list of corresponding DTMF signal identifiers, wherein a particular customer is permitted to change the mapping between caller entered DTMF signal, and the corresponding

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actions taken by a voice messaging system (column 28, lines 1-3, 18-51; column 29-30, Vector Pogrecln).

2.10 Regarding claim 18, Satter further teaches a main module comprising code and call flow functions that are specific to the customer (column 26, lines 34-44).

2.11 Regarding claim 20, it is inherent that for the system to function properly, the module is loaded during application initialization process.

2.12 Regarding claim 21, Satter further teaches different tables for different callers (column 28, lines 40-51).

2.13 Regarding claim 22, Satter teaches that the module containing call flows are specific to the particular customer as discussed in claim 17.

2.14 Regarding claim 23, Satter teaches call flow functions are used by a plurality of users (column 28, lines 40-51).

2.15 Regarding claim 24, Satter teaches that the application is a voice mail system (column 26, lines 34-44).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3-5, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satter et al. US 5,243,643 in view of Matthews et al. US Patent No. 4,652,700.

3.1 Regarding claims 3 and 19, Satter teaches result list names (column 29-30, Pogreet, POREcGrt of Vector PogRecln), break list names (column 43-44, PopwdCan of Vector PopwdCnf), delimiter list names and (time out or t/o), but fails to teach double digit names.

However, Matthews discloses voice mail system and teaches a double-digit user selection (column 25, line 59).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Satter reference with the teaching of Matthews, so that the list would have included double-digit names, because such a modification would have enabled Satter's system to present more than 10 options to a user.

3.2 Regarding claim 4, the Satter's reference, modified by Matthews, Satter teaches that the result list refers to a nest call state (column 28, lines 27-29).

3.3 Regarding claim 5, the Satter's reference, modified by Matthews, a canceling call state (PopwdCnf) inherently stops a prompt.

4. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satter et al. US 5,243,643 in view of Matthews et al. US Patent No. 4,652,700 and further in view of Weber, US Patent No. 6,094,239.

The Satter's reference, modified by Matthews, teaches using double digit list names, but fails to teach that when two DTMF tones entered by a user within a predetermined period, a double-digit list function (or event) is executed.

However, it is well known in the art that if an application has double-digit functions, a user may enter two digits with in a predetermined period to activate a double-digit related function as the Weber reference states in column 2, lines 8-15. It is inherent that delimiter such as time out determines the end of a caller's input.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Satter reference, which was modified by Matthews, with the teaching of Weber, so that a sequence of two DTMF tones are entered within a predetermined period, a single event would have followed, because such a modification would have enabled a customer to operate a system with double-digit functions.

5. Claims 16 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satter et al. US 5,243,643 in view of Chencinski et al., US Patent No. 5,355,406.

Satter teaches a voice messaging system with a user configurable interface, but fails to specifically teach that his system is used in a bank by phone application.

However, Chencinski discloses an integrated application controlled call processing and messaging system. Chencinski also discloses a bank by phone system (column 27, lines 65-68; column 28, lines 1-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Satter reference with the teaching of Chencinski, so that a bank by phone application would have been implemented, because such a modification would have made the system more versatile.

Response to Arguments

6. Applicant's arguments filed on 9/19/2003 have been fully considered but they are not persuasive.

Claim 1 and 17 by Juster: The applicant argues that Juster does not disclose a table linking a DTMF identifier and its corresponding action, and DTMF identifiers are hard-coded into CPPs (functions or modules), thus requires a library of CPPs, one of each possible combination/permutation of possible DTMF signal identifiers with various functions, and making Juster's system lacking flexibility.

However, Juster teaches: " a user develops a voice mail messaging application having the necessary voice prompts and DTMF responses by selecting appropriated

CPPs that generate those prompts and tone responses" (column 5, lines 23-26) (also quoted by the applicant in the Remark, page 3). Juster clearly teaches that the voice mail messaging system outputs voice prompts and responses (action taken by the messaging system) in responds to a DTMF identifier entered by a user, and by inherency, it is a table linking DTMF identifiers to their corresponding actions (defined by CPPs) as Juster states: "each CPP performs one simple identifiable operation, such as recording a message, playing a prompt, collecting a digit, reading DTMF sequence etc" (column 5, lines 27-29). Juster clearly teaches a friendly environment in that a user, without programming knowledge, may customize a link list (a table, see page 8, lines 17-24 of applicant's specification) of DTMF identifiers and corresponding actions by selecting a desired CPP (action) corresponds to a particular DTMF identifier (column 4, lines 49-54; column 5, lines 23-26, 45-53). Thus Justers' system generates a custom link list, such as one CPP (play-message) corresponding to DTMF identifier '1', another CPP (save-message) corresponding to DTMF identifier '2', and another CPP (delete-message) corresponding to DTMF identifier '13', etc., by using a user's selection.

A user or a system administrator may customize the identifiers-entered to actions-taken by changing a DTMF identifier with a particular CPP (column 5, lines 12-23). Juster teaches that only a link list, which maps (or is hard-coded with) DTMF identifiers to corresponding actions. A programmer, who is with a sound mind, will never create a library (of modules) for a combination/permutation (which may numbering in thousands) of identifiers-entered to actions-taken, since it can be done by a single module with "else-if" statements [example: if identifier == 1 play_message ()

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else if identifier == 2 save_message () else if identifier == 13 delete_message ()...] or a "switch-case" statement [example: switch (identifier) {case '1': play_message () break; case "2": save_message () break; case '13': delete_message () break; ...}] in C programming language. Also in C, a programmer is able to break a large program into a plurality of smaller programs, even down to single functions (modules), and then links these programs and functions to a main program using a PROJECT. In this way, when changes are required, only affected smaller program(s), or function(s) is recoded and compiled, then linked using the PROJECT. Therefore, customizing a computer program by modifying (recoding and compiling) only one module was well known in the art.

In Juster, the user is an operator who tries to program and use the voice messaging system (VMS) and it is clear that the user is a customer of the VMS. The current invention does not disclose and claim that each subscriber (or caller) is able to customize one's own table (module) without recoding, compiling and linking (even though, there are ways of doing so). Therefore, the user is the claimed 'particular customer' because the user can perform the claimed limitations.

Claims 1 and 17 by Satter: The applicant argues that Satter does not disclose a table and enable a customer ⁷²¹modify the table for customization. However, Satter teaches that a user (customer of a voice messaging manufacturer) may modify vectors in a module to customize DTMF tones inputted to actions-taken (column 28, lines 18-39). In computer programs, a table is a list linking an input to its corresponding action taken by a system (see page 8, lines 17-24 of applicant's specification), since Satter

teaches that when a particular DTMF is entered, a certain action is taken place, therefore, Satter teaches a table. Again, the user is a customer of a VMS, and the current invention does not disclose and claim that each subscriber (caller) is able to customize his own table (module) without recoding and compiling, thus Satter teaches the limitations of claims 1 and 17.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

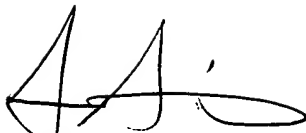
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



S.S.

12/18/2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

